

Serial No. 10/806,320**Docket No.: 1293.1278C3****REMARKS**

In accordance with the foregoing, claims 13, and 25-29 have been cancelled without prejudice or disclaimer. Claims 1-12 and 14-24 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER OBVIOUSNESS TYPE DOUBLE PATENTING:

On pages 2-4 of the Office Action, the Examiner provisionally rejects claims 1-29 under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent Application No. 11/430,169. In view of the enclosed Terminal Disclaimer, it is respectfully requested that the rejection be reconsidered and withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

In the Office Action at pages 5-6, the Examiner rejects claim 13 under 35 U.S.C. §102 in view of Dekker (U.S. Patent No. 6,600,709). This rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's construction of Dekker, claim 13 has been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection is moot.

In the Office Action at pages 6-7, the Examiner rejects claim 29 under 35 U.S.C. §102 in view of Ohno et al. (U.S. Patent No. 5,150,351). This rejection is respectfully traversed and reconsideration is requested.

While applicants do not necessarily agree with the Examiner's construction of Ohno et al., claim 29 been cancelled without prejudice or disclaimer. As such, it is respectfully submitted that the rejection is moot.


Serial No. 10/806,320**Docket No.: 1293.1278C3****CONCLUSION:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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